

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

MWK RECRUITING, INC,

Plaintiff,

v.

EVAN P. JOWERS,

Defendant

Case No. 1:18-cv-00444-RP

DECLARATION OF ZACHARY H. ELLIS

I, Zachary H. Ellis, hereby declare as follows:

1. I have personal knowledge of the facts set forth herein, and if called to testify could and would competently testify thereto.

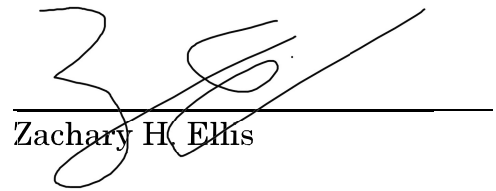
2. I am an attorney at law duly licensed to practice in the State of Texas and admitted to this Court. I became licensed to practice in State of Texas on May 3, 2021. I was admitted to practice in this Court on July 2, 2021.

3. Prior to my work on this case, I appeared and represented parties in complex litigation—particularly patent infringement actions. My experience then included briefing and arguing *Markman* hearings, briefing and arguing Rule 12(b) motion hearings, and negotiating settlements.

4. As itemized in the attached listing of time and task entry records, my amount of time spent prosecuting MWK's breach of contract claims, upon which the Court found in favor of MWK, was 96.50 hours. My hourly rate for this work was \$375 per hour. Based on my experience, the billable rate I charged for this matter is a

reasonable rate for the Austin market and the Western District of Texas. I believe that my work on the case was reasonable and necessary.

I declare under penalty of perjury of the laws of the United States of America that the foregoing is true and accurate and that I have executed this declaration on October 3, 2022.



Zachary H. Ellis

Zachary H. Ellis - Time Entries - MWK v. Jowers

Date	Timekeeper	Description	Hours
9/2/2021	ZHE	Review and edit draft opposition to motion to transfer	4.00
10/18/2021	ZHE	Review and edit proposed findings of fact and conclusions of law to be submitted with final pre-trial disclosures	5.00
10/19/2021	ZHE	Review revised pre-trial notice and exhibits.	1.00
10/19/2021	ZHE	Review and finalize designation of deposition transcripts to be used at trial	6.00
10/21/2021	ZHE	Review Defendant's revised pre-trial notice and exhibits.	1.00
11/29/2021	ZHE	Prepare for trial: review and edit demonstrative slides to be used at trial	8.00
12/1/2021	ZHE	Prepare for trial: develop cross examination outlines, identify key exhibits, develop demonstratives, and prepare witnesses.	10.00
12/2/2021	ZHE	Prepare for trial: review Defendant's motion to reconsider order excluding witnesses.	1.00
12/5/2021	ZHE	Prepare for trial: prepare witness for direct examination	3.00
12/5/2021	ZHE	Prepare for trial: draft and prepare to give opening statement, draft and prepare closing argument	6.00
12/6/2021	ZHE	Prepare for and attend trial.	12.00
12/7/2021	ZHE	Prepare for and attend trial.	10.00
12/8/2021	ZHE	Prepare for and attend trial.	4.00
12/9/2021	ZHE	Review transcript in preparation of FF&CL.	2.00
12/17/2021	ZHE	Research issues related to Defendant's defenses raised at the end of trial in preparation of FF&CL.	3.00
2/1/2022	ZHE	Prepare for and attend mediation conference.	10.00
2/9/2022	ZHE	Review and edits draft proposed findings of fact and conclusions of law	8.00
2/10/2022	ZHE	Finalize proposed findings of facts and conclusions of law.	2.50

Total Hours**96.50**